Issuance Date: August 31, 2006
Effective Date: September 1, 2006
Expiration Date: September 1, 2011

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA-003129-1

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act (The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Tenaska Washington Partners, L.P.

1044 North 115th Street, Suite 400
Omaha, Nebraska 68154-4446

Facility Location:
Tenaska Ferndale Cogeneration Station
5105 Lake Terrell Road
Ferndale WA 98248

Water Body I.D. No.:
Outfall 001 (ConocoPhillips' outfall)
WA-01-0010

Watercourse ID No.:
Outfall 002
Unnamed tributary – AT56DW
Puget Sound – 390KRD

Industry Type:
Cogeneration – Steam and Electricity Production

Receiving Water:
Outfall 001 – Strait of Georgia via ConocoPhillips' discharge Outfall 001
Outfall 002 – Unnamed tributary of Lummi Bay

Discharge Location:
Outfall 001:
Latitude: 48° 49' 36" N
Longitude: 122° 42' 57" W

Outfall 002:
Latitude: 48° 49' 42" N
Longitude: 122° 40' 52" W

is authorized to discharge in accordance with the special and general conditions which follow.

Carol Kraege, P.E.
Washington State Department of Ecology
Solid Waste and Financial Assistance Program
Industrial Section Manager

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GENERAL CONDITIONS

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Monthly	15th day of each month
S3.E	Twenty-four Hour Notice of Noncompliance Reporting	As necessary	
S3.F	Other Noncompliance Reporting	As necessary	
S4.A	Updated Treatment System Operating Plan		With permit renewal application, other updates as necessary
S4.B	Reporting Bypasses	As necessary	
S6.	Updated Solid Waste Control Plan	1/permit cycle	With permit renewal application, other updates as necessary
S7.	Updated Spill Plan	1/permit cycle	With permit renewal application, other updates as necessary
S9.A	Acute Toxicity Effluent Recharacterization Study	2/last summer and last winter prior to permit renewal	
S10.A	Chronic Toxicity Effluent Recharacterization Study	2/ last summer and last winter prior to permit renewal	
S9.A & S10.A	Acute & Chronic Toxicity Effluent Recharacterization Study Report		With permit renewal application
S11.	Herring Toxicity Testing	once during the third year of the permit term	Within 60 days of sampling event
S12.	Priority Pollutant Metals	Annually	Within 60 days of the sampling event
S12.	Priority Pollutant Organics	5th year of permit term	With permit renewal application
G1.C	Notice of Change in Authorization	As necessary	
G4.	Reporting Planned Changes	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	180 days prior to permit expiration

Permit Section	Submittal	Frequency	First Submittal Date
G8.	Notice of Permit Transfer	As necessary	
G21.	Reporting Anticipated Non-compliance	As necessary	

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Process Wastewater and Stormwater Discharges

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge process wastewater (Outfall 001) and stormwater (Outfall 002) at the permitted locations subject to complying with the following limitations:

PROCESS WASTEWATER EFFLUENT LIMITATIONS: OUTFALL # 001					
Parameter	**Units**	**Average Monthly[a]**	**Maximum Daily[b]**	**Monitoring Frequency**	**Sample Type**
Total Suspended Solids	mg/l	20	35	Once/week	24 hour composite
Oil & Grease [c]	mg/l	10	15	Once/week	Grab
Total Chromium	mg/l	0.2	0.2	Annually by March 1st	24 hour composite
Total Zinc	mg/l	1	1		
Total Residual Chlorine	mg/l	0.2	0.2	Once/week	Grab
Priority Pollutant Metals	Not applicable. Results shall be reported with monthly DMR.			Annually by March 1st of each year	24 hour composite
Priority Pollutant Organics	Non-detect in any amount. Results shall be submitted with permit renewal application.			Once during last year of the permit term	24 hour composite
pH shall be maintained within the range of 6.0 to 9.0. Excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations. The instantaneous maximum and minimum pH shall be reported monthly. Monitoring shall be continuous recording. Continuous means uninterrupted while discharging - except for brief lengths of time for calibration, power failure, or for unanticipated equipment repair or maintenance. Samples shall be collected hourly when continuous monitoring is not possible.					
Acute and Chronic Toxicity Monitoring	Additional effluent monitoring requirements are located in S9. Acute Toxicity and S10. Chronic Toxicity				
Herring Test	See permit Condition S11.				
Flow MGD	Not Applicable. Information collected shall be reported in the monthly DMR.				Continuous recording
Temperature					Continuous recording
Production - Electricity MW					Monthly average
- Steam lbs/hour					Monthly average

STORMWATER EFFLUENT LIMITATIONS: OUTFALL # 002					
Parameter	**Units**	**Average Monthly[a]**	**Maximum Daily[b]**	**Monitoring Frequency**	**Sample Type**
Total Suspended Solids	mg/l	15	25	Each discharge event	24 hour composite
Oil & Grease [c]	mg/l	10	15	Each discharge event	Grab
pH shall be maintained within the range of 6.0 to 9.0. A grab sample of the pond shall be checked prior to discharge to ensure compliance with the pH requirement. A 24-hour composite sample shall be collected during discharge. The pH of this sample shall be monitored and recorded.					

Footnotes apply to both process and stormwater effluent limitations.

[a] The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the maximum daily effluent limitation applies to that sample.

[b] The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.

[c] The oil and grease concentration shall not exceed 10 mg/l more than three days each month.

B. Mixing Zone Description

PROCESS WASTEWATER OUTFALL 001

The maximum boundaries of the mixing zone for process wastewater outfall 001 are defined as follows:

Chronic Mixing Zone

WAC 173-201A-400(7)(b)(i) specifies mixing zones shall not extend in any horizontal direction from the discharge ports for a distance greater than 200 feet plus the depth of water over the discharge ports as measured during mean lower low water (MLLW). Given a MLLW water depth of 31 feet (9.5 meters) for the Permittee's outfall, the horizontal distance is 231 feet (70.4 meters). The mixing zone is a circle with radius of 231 feet (70.4 meters) measured from the center of each discharge port. The mixing zone extends from the seabed to the top of the water surface. Chronic aquatic life criteria and human health criteria must be met at the edge of the chronic zone.

Acute Mixing Zone

WAC 173-201A-400(8)(b) specifies that in estuarine waters a zone where acute criteria may be exceeded shall not extend beyond 10% of the distance established for the maximum or chronic zone as measured independently from the discharge ports. The acute mixing zone is a circle with radius of 23 feet (7 meters) measured from the center of each discharge port. The mixing zone extends from the seabed to the top of the water surface. Acute aquatic life criteria must be met at the edge of the acute zone.

	Available Dilution
Acute Aquatic Life Criteria	30
Chronic Aquatic Life Criteria	135
Human Health Criteria - Carcinogen	135
Human Health Criteria - Non-carcinogen	135

STORMWATER OUTFALL 002

The maximum boundaries of the mixing zone for stormwater outfall 002 are defined as follows:

The mixing zone shall extend downstream from the discharge port no greater than 300 feet plus the depth of water at the discharge port and shall extend upstream for a distance no greater than 100 feet. It shall not utilize greater than 25 percent of the flow, and shall not occupy greater than 25 percent of the width of the water body.

S2. MONITORING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality. To ensure representative samples, the sampling schedule shall be randomly generated within the terms of Condition S1 on a routine basis.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

B. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

C. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. The Department exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

D. Composite Sample

After a portion of the daily composite sample is removed for the Permittee's analysis, the remainder, 1-2 gallons (minimum) shall be retained until 3:00 PM. The composite sample shall be kept refrigerated at 4° centigrade in the dark during collection and storage. On days when the discharge occurs over a period of time too short to collect sufficient sample for testing and retainage, hourly grab samples can be used.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department.

In addition, a summary sheet, listing daily results for the parameters tabulated in Special Condition S1, including MDLs, and QLs (when applicable), shall be submitted to the Department. DMR forms shall be *postmarked or received no later than the 15th day of the month*, following the completed monitoring period, unless otherwise specified in this permit, except the Oil and Grease analysis. The oil and grease analysis shall be received by the Department no later than the **30th** day of the month following the completed monitoring period. Unless otherwise specified, all toxicity test data shall be submitted within 60 days after the sampling date. The DMR and summary sheet shall be sent to the Department of Ecology, Industrial Section, P.O. Box 47706, Olympia, Washington 98504-7706 or Department of Ecology, Industrial Section, 300 Desmond Drive SE, Lacey, Washington 98503.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. When permit limited parameters are non-detect, the MDL and QL when applicable shall be reported with the DMR. Use of the “minimum reporting level” is acceptable as long as it meets the definition of MDL.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone, to Ecology at (206) 553-1846, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:
   a. any noncompliance that may endanger health or the environment;
   b. any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S4.B., "Bypass Procedures");
   c. any **upset** that exceeds any effluent limitation in the permit (See G.16, "Upset");
   d. any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in S1.A.; or
   e. any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

2. The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subpart 1, above. The written submission must contain:
   a. a description of the noncompliance and its cause;
   b. the period of noncompliance, including exact dates and times;

c. the estimated time noncompliance is expected to continue if it has not been corrected;

d. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and

e. if the non compliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

3. Ecology may waive the written report on a case-by-case basis if the oral report has been received within 24 hours of the noncompliance.

4. Reports must be submitted to the address in S3. REPORTING AND RECORD-KEEPING REQUIREMENTS.

F. Other Noncompliance Reporting

The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for S3.A ("Reporting") are submitted. The reports must contain the information listed in paragraph E above, ("Twenty-four Hour Notice of Noncompliance Reporting"). Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

G. Maintaining a Copy of This Permit

A copy of this permit must be kept at the facility and be made available upon request to Department of Ecology inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Treatment System Operating Plan

An updated Waste Treatment System Operating Plan (TSOP) shall be submitted to the Department with the permit renewal application (180 days prior to expiration of the permit). This plan shall be updated and submitted, as necessary, to include requirements for any major modifications of the treatment system.

For the purposes of this NPDES permit, a TSOP is a concise summary of specifically defined elements of the O&M Manual. The TSOP shall not conflict with the O&M Manual and shall include the following information:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limitations of S1. at the production levels used in developing these limitations.

2. In the event of production rates, which are below the baseline levels used to establish these limitations, the plan shall describe the operating procedures and conditions needed to maintain design treatment efficiency. The monitoring and reporting shall be described in the plan.

3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan shall describe the operating procedures and conditions employed to mitigate the upset. The monitoring and reporting shall be described in the plan.

4. A description of any regularly scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

The approved TSOP shall be kept available at the permitted facility and all operators are responsible for being familiar with, and using, this manual.

B. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

   Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass. The Permittee shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass Which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

   This bypass is permitted only if:

a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

c. The Department is properly notified of the bypass as required in condition S3E of this permit.

3. Bypass which is Anticipated and has the Potential to Result in Non-compliance with this Permit.

The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

C. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S5. FACILITY LOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded:

Unit	Average Design Capacity	Maximum Design Capacity
Solids Contact Unit (Clarifier)	225 gpm / 324,000 gpd	300 gpm / 432,000 gpd
Wastewater filter	225 gpm / 324,000 gpd	300 gpm / 432,000 gpd

S6. SOLID WASTE HANDLING

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water. The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

The Permittee shall submit all proposed revisions or modifications to the solid waste control plan to the Department. The Permittee shall comply with any plan modifications.

The Permittee shall submit an update of the solid waste control plan with the application for permit renewal 180 days prior to the expiration date of the permit.

S7. SPILL PLAN

The Permittee shall submit to the Department an update to the existing Spill Control Plan (SCP) for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Permittee shall submit an update to the existing SPC with the permit renewal application (180 days prior to the expiration date of the permit) and keep it on site. The Permittee shall review and update the Spill Plan, as needed, at least annually. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals, or portions thereof, required by 33 CFR 154, 40 CFR 109, 40 CFR 110, 40 CFR Part 112, the Federal Oil Pollution Act of 1990, Chapter 173-181 WAC, and contingency plans required by Chapter 173-303 WAC may be submitted.

S8. BEST MANAGEMENT PRACTICES

A. Bio-filtration Swale

Debris shall be screened to prevent the clogging of the treatment soil and/or growth of the vegetation. It may be necessary to remove dead vegetation annually prior to the winter wet season since decomposing vegetation can release pollutants captured in the bio-swale, especially nutrients.

B. Stormwater Pond

Periodic cleaning and inspection of stormwater system components shall be performed and recorded. Storm drain inlets and manholes, oil water separators, and the retention pond liner above the low water line shall be cleaned and inspected annually. The

retention pond and the stormwater drain piping shall be inspected if damage is noted or suspected (per letter from the Department dated April 4, 2003). The entire retention pond and the stormwater drain piping shall be cleaned and repaired as indicated by the inspection results. Retention pond sediment depth shall be checked and recorded annually. Retention pond cleaning shall be conducted when sediment accumulation exceeds an average depth of six inches or when the total suspended solids content of released stormwater indicates that the pond is not capable of retaining settled solids.

C. Oil/Water Separator

The depth of oil accumulated in the oil/water separator shall be measured and recorded each month. Any unusual or substantial accumulation of oil shall be investigated and the source of oil identified and corrected. Oil and sludge shall be removed from the oil/water separator as experience dictates. Waste oil and sludge shall be removed and disposed of by an approved waste disposal operator. Waste disposal and inspections shall be recorded.

S9. ACUTE TOXICITY

A. Effluent Characterization

The Permittee shall conduct acute toxicity testing on the final effluent to determine the presence and amount of acute (lethal) toxicity. The two acute toxicity tests listed below shall be conducted on each sample taken for effluent characterization. The results of this acute toxicity testing shall be submitted to the Department as a part of the permit renewal application process.

Effluent characterization for acute toxicity shall be conducted once in the last summer and once in the last winter prior to submission of the permit renewal application. Acute toxicity testing shall follow protocols, monitoring requirements, and quality assurance/quality control procedures specified in this section. A dilution series consisting of a minimum of five concentrations and a control shall be used to estimate the concentration lethal to 50% of the organisms (LC_{50}). The percent survival in 100% effluent shall also be reported.

Acute toxicity tests shall be conducted with the following species and protocols:

1. Fathead minnow, *Pimephales promelas* (96 hour static-renewal test, method: EPA-821-R-02-012).

2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48 hour static test, method: EPA-821-R-02-012). The Permittee shall choose one of the three species and use it consistently throughout effluent characterization.

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on grab samples. Grab samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20° C at receipt. If a grab sample is received at the testing lab within 4 hours after collection, it must be below 12° C at receipt. All other samples must be below 8° C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 4° C in the dark from receipt until completion of the test.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the Acute Critical Effluent Concentration (ACEC).

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29% as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

S10. CHRONIC TOXICITY

A. Effluent Characterization

The Permittee shall conduct chronic toxicity testing on the final effluent. The three chronic toxicity tests listed below shall be conducted on each sample taken for effluent characterization. The results of this chronic toxicity testing shall be submitted to the Department as a part of the permit renewal application process.

The Permittee shall test final effluent once in the last summer and once in the last winter prior to submission of the renewal permit application. The Permittee shall conduct chronic toxicity testing during effluent characterization on a series of at least five concentrations of effluent in order to determine appropriate point estimates. This series of dilutions shall include the ACEC. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

The Permittee shall conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control in order to be able to determine appropriate point estimates and a no observed effects concentration (NOEC). This series of dilutions shall include the ACEC. The ACEC equals 2.7% effluent. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

Chronic toxicity tests shall be conducted with the following species and the most recent version of the following protocols:

Saltwater Chronic Toxicity Test Species		Method
Topsmelt or Silverside minnow	*Atherinops affinis* or *Menidia beryllina*	EPA/600/R-95/136 or EPA/600/4-91/003
Mysid shrimp	*Holmesimysis costata* or *Mysidopsis bahia*	EPA/600/R-95/136 or EPA/600/4-91/003
Sea urchin/ Sand dollar	*Strongylocentrotus purpuratus/Dendraster excentricus*	EPA/600/R-95/136

The Permittee shall use the West Coast fish (topsmelt, *Atherinops affinis*) and mysid (*Holmesimysis costata*) for toxicity testing unless the lab cannot obtain a sufficient quantity of a West Coast species in good condition in which case the East Coast fish (silverside minnow, *Menidia beryllina*) or mysid (*Mysidopsis bahia*) may be substituted.

The sea urchin and sand dollar (echinoderm) test shall be run in accordance with EPA/600/R-95/136 and the echinoderm fertilization test conditions in the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof. The lab shall use whichever one of the two species that will give a valid result in each particular test.

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on grab samples. Grab samples taken for toxicity testing shall be cooled to 0 - 6 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20° C at receipt. If a grab sample is received at the testing lab within 4 hours after collection, it must be below 12° C at receipt. All other samples must be 0 - 6° C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 0 - 6° C in the dark from receipt until completion of the test.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC and the CCEC.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing, and do not comply with the chronic statistical power standard of 39% as defined in WAC 173-205-020, must be repeated on a fresh sample with an increased number of replicates to increase the power.

S11. HERRING TOXICITY TESTING

A. Study Requirements

The Permittee shall conduct herring toxicity testing on the effluent from Outfall 001 **once** per year during the **third year** of the permit term. The Permittee shall conduct the Pacific herring 96-hour prolarval acute survival test using the method developed at the Shannon Point Marine Center. This method has been validated for regulatory use at the Shannon Point Marine Center and the Nautilus Environmental Lab in Fife, WA.

The herring toxicity testing shall be conducted on a series of 5 dilutions of effluent plus a nontoxic control. This series of dilutions shall include a 3% dilution (the ACEC). The ACEC shall be compared to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

With prior approval from Ecology, the Permittee may use the following alternate species if herring larvae are unavailable during the test window:

- Pacific herring larval acute survival test substitute – Topsmelt, *Atherinops affinis*, 96-hour acute survival test, EPA-821-R-02-012 and Ecology Publication #WQ-R-95-80.

The results of the herring toxicity testing shall be submitted to Ecology within 60 days of each sampling event.

If during the herring larval acute testing, the Lowest Observable Effects Concentration (LOEC) is equal to or lower than the Acute Critical Effluent Concentration (ACEC), the Permittee shall conduct a second test. During the second test, if the LOEC ≤ ACEC, the Permittee shall develop and implement a Toxicity Identification/Reduction Evaluation (TI/RE) Plan. If the facility is unable to properly address the toxicity issue through the TI/RE process. Ecology may require additional testing and/or investigation into the toxicity.

B. Sampling and Reporting Requirements

1. All reports for the herring toxicity testing or substitute species testing shall be submitted in accordance with the format and content prescribed in the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Ecology database, then the facility shall send the disk to Ecology along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on effluent grab samples. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20º C at receipt. If a grab sample is received at the testing lab within 4 hours after collection, it must be below 12º C at receipt. All other samples must be below 6º C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 4º C in the dark from receipt until completion of the test.

3. Water quality measurements shall be performed on all samples and test solutions for toxicity testing, as specified in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria in the EPA manual listed in subsection A. and in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined invalid or anomalous by the Ecology, testing shall be repeated with freshly collected effluent.

5. The whole effluent toxicity test series shall be run on an unmodified sample of final effluent.

6. The toxicity tests shall be conducted with a series of 5 effluent concentrations and a control during the herring bioassay study in order to determine dose-response. The series of concentrations must include the ACEC.

S12. PRIORITY POLLUTANT SCAN

The Permittee shall sample the final effluent and analyze the sample for the priority pollutants and other pollutants listed in Condition S1. The detection limit and the method shall conform to those listed. The results of these analyses shall be submitted to Ecology within three months of each sampling event. The data shall be listed in tabular form with the detection limit, the value including units, and the method.

Appendix A is a list of all priority pollutants. It includes cyanide, total phenols, dioxin, PCBs, and pesticides that are not required to be tested for unless they are used or generated as bi-product on site.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.

B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section shall make the following certification:

> I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for

gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.

C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:

1. Violation of any permit term or condition.

2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.

3. A material change in quantity or type of waste disposal.

4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].

5. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR part 122.64(4)].

6. Nonpayment of fees assessed pursuant to RCW 90.48.465.

7. Failure or refusal of the permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the permittee requests or agrees:

1. A material change in the condition of the waters of the state.

2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.

4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.

5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR part 122.62.

6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.

7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7, of this section, and the Department determines that modification or revocation and reissuance is appropriate.

2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new permittee.

G4. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal

practices. Following such notice, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification

Except as provided in paragraph B below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.

3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by

imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G16. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S5 of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G17. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G18. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G19. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the

regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G20. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G21. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

G22. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

G23. REPORTING REQUIREMENTS APPLICABLE TO EXISTING MANUFACTURING, COMMERCIAL, MINING, AND SILVICULTURAL DISCHARGERS

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify the Department as soon as they know or have reason to believe:

A. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels:"

   1. One hundred micrograms per liter (100 μg/l).

   2. Two hundred micrograms per liter (200 μg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 μg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.

3. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).

4. The level established by the Director in accordance with 40 CFR 122.44(f).

B. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

1. Five hundred micrograms per liter (500μg/L).

2. One milligram per liter (1 mg/L) for antimony.

3. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).

4. The level established by the Director in accordance with 40 CFR 122.44(f).

G24. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

APPENDIX A. PRIORITY POLLUTANT SCAN

Pollutant & CAS No. *(if available)*	**Analytical Protocol** as EPA Part 136 methods or Standard Methods	**Detection or Quantitation Level**
Metals, Cyanide & Total Phenols (Part C)		**DL µg/l**
Antimony, Total (7440-36-0)	204.2	3
Arsenic, Total (7440-38-2)	206.2	1
Beryllium, Total (7440-43-9)	210.2	1
Cadmium, Total (7440-43-9)	213.2	0.1
Chromium, Total (7440-47-3)	218.2	1
Copper, Total (7440-50-8)	220.2	1
Lead, Total (7439-92-1)	239.2	1
Mercury, Total (7439-97-6)	1631	0.2 ng/l
Nickel, Total (7440-02-0)	249.2	1
Selenium, Total (7782-49-2)	270.2	2
Silver, Total (7440-22-4)	272.2	0.2
Thallium, Total (7440-28-0)	279.2	1
Zinc, Total (7440-66-6)	289.2	0.05
Cyanide, Total (57-12-5)	335.2	20
Cyanide, WAD (57-12-5)	335.1 OIA-1677	10 0.5
Phenols, Total	420.1 or 420.2	
Dioxin		**QL µg/l**
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (1764-01-6)	1613	0.00001
Volatile Compounds		**QL µg/l**
Acrolein (107-02-8)	624	50
Acrylonitrile (107-13-1)	624	50
Benzene (71-43-2)	624	10
Bis (*chloromethyl)* Ether (542-88-1)	624	10
Bromoform (75-25-2)	624	10
Carbon Tetrachloride (108-90-7)	624	10
Chlorobenzene (108-90-7)	624	50
Chlorodibromomethane (124-48-1)	624	10
Chloroethane (75-00-3)	624	10
Chloroethylvinyl Ether (110-75-8)	624	50
Chloroform (67-66-3)	624	10
Dichlorobromomethane (75-27-4)	624	10

Pollutant & CAS No. *(if available)*	**Analytical Protocol** as EPA Part 136 methods or Standard Methods	**Detection or Quantitation Level**
Dichlorodifluromethane (75-71-8)	624	10
1,1-Dichloroethane (75-34-3)	624	10
1,2-Dichloroethane (107-06-2)	624	10
1,1-Dichloroethylene (75-35-4)	624	10
1,2-Dichloropropane (78-87-5)	624	10
1,3-Dichloropropene (542-75-6)	624	10
Ethylbenzene (100-41-4)	624	10
Methyl Bromide (74-83-9)	624	50
Methyl Chloride (74-87-3)	624	50
Methylene Chloride (75-09-2)	624	20
1,1,2,2-Tetrachloroethane (79-34-5)	624	10
Tetrachloroethylene (127-18-4)	624	10
Toluene (108-88-3)	624	10
1,2-Trans-Dichloroethylene (156-60-5)	624	10
1,1,1-Trichloroethane (71-55-6)	624	10
1,1,2-Trichloroethane (79-00-5)	624	10
Trichloroethylene (79-01-6)	624	10
Trichlorofluromethane (75-69-4)	624	10
Vinyl Chloride (75-01-4)	624	10
Acid Compounds		**QL µg/l**
2-Chlorophenol (95-57-8)	625	10
2,4-Dichlorophenol (120-83-2).	625	10
2,4-Dimethylphenol (105-67-9)	625	10
4,6-Dinitro-O-Cresol (534-52-1)	625	50
2,4 Dinitrophenol (51-28-5)	625	50
2-Nitrophenol (88-75-5)	625	20
4-Nitrophenol (100-02-7)	625	50
P-Chloro-M-Cresol (59-50-7)	625	10
Pentachlorophenol (87-86-5)	625	50
Phenol (108-95-2)	625	10
2,4,6-Trichlorophenol (88-06-2)	625	10
Base/Neutral Compounds		**QL µg/l**
Acenaphthene (83-32-9)	625	10
Acenaphtylene (208-96-8)	625	10
Anthracene (120-12-7)	625	10
Benzidine (92-87-5)	625	50
Benzo (*a*) Anthracene (56-55-3)	625	10
Benzo (*a*) Pyrene (50-32-8)	625	10
3,4-Benzofluoranthene (205-99-2)	625	10

Pollutant & CAS No. *(if available)*	**Analytical Protocol** as EPA Part 136 methods or Standard Methods	**Detection or Quantitation Level**
Benzo (*ghi*) Perylene (191-24-2)	625	20
Benzo *(k*) Fluoranthene (207-08-9)	625	10
Bis (*2-Chloroethoxy)* Methane (111-81-1)	625	10
Bis (*2-Chloroethyl*) Ether (111-44-4)	625	10
Bis (*2-Chloroisopropyl*) Ether (108-60-1)	625	10
Bis (*2-Ethylhexyl*) Phthalate (117-81-7)	625	10
4-Bromophenyl Phenyl Ether (101-55-3)	625	10
Butyl Benzyl Phthalate (85-68-7)	625	10
2-Chloronaphthalene (91-58-7)	625	10
4-Chlorophenyl Phenyl Ether (7005-72-3)	625	10
Chrysene (218-01-8)	625	10
Dibenzo (*a-h*) Anthracene (53-70-3)	625	20
1,2-Dichlorobenzene (95-50-1)	625	10
1,3-Dichlorobenzene (541-73-1)	625	10
1,4-Dichlorobenzene (106-46-7)	625	10
3,3'-Dichlorobenzidine (91-84-1)	625	50
Diethyl Phthalate (84-66-2)	625	10
Dimethyl Phthalate (131-11-3)	625	10
Di-N-Butyl Phthalate (84-74-2)	625	10
2,4-Dinitrotoluene (121-14-2)	625	10
2,6-Dinitrotoluene (606-20-2)	625	10
Di-n-octyl Phthalate (117-84-0)	625	10
1,2-Diphenylhydrazine (*as Azobenzene*) (122-66-7)	625	20
Fluoranthene (206-44-0)	625	10
Fluorene (86-73-7)	625	10
Hexachlorobenzene (118-74-1)	625	10
Hexachlorobutadiene (87-68-3)	625	10
Hexachlorocyclopentadiene (77-47-4)	625	10
Hexachloroethane (67-72-1)	625	20
Indeno (*1,2,3-cd*) Pyrene (193-39-5)	625	20
Isophorone (78-59-1)	625	10
Naphthalene (91-20-3)	625	10
Nitrobenzene (98-95-3)	625	10
N-Nitrosodimethylamine (62-75-9)	625	50
N-Nitrosodi-N-Propylamine (621-64-7)	625	20
N-Nitrosodiphenylamine (86-30-6)	625	20
Perylene (198-55-0)	625	10
Phenanthrene (85-01-8)	625	10
Pyrene (129-00-0)	625	10
1,2,4-Trichlorobenzene (120-82-1)	625	10

Pollutant & CAS No. *(if available)*	**Analytical Protocol** as EPA Part 136 methods or Standard Methods	**Detection or Quantitation Level**
GC/MS Fraction – Pesticides and PCBs		**QL µg/l**
Aldrin (309-00-2)	608	0.05
a-BHC (319-84-6)	608	0.05
β-BHC (319-85-7)	608	0.05
ϒ-BHC (58-89-9)	608	0.05
δ-BHC (319-86-8)	608	0.05
Chlordane (57-74-9)	608	0.2
4,4'-DDT (50-29-3)	608	0.1
4,4'-DDE (72-55-9)	608	0.1
4,4' DDD (72-54-8)	608	0.1
Dieldrin (60-57-1)	608	0.1
a-Endosulfan (115-29-7)	608	0.1
β-Endosulfan (115-29-7)	608	0.1
Endosulfan Sulfate (1031-07-8)	608	0.1
Endrin (72-20-8)	608	0.1
Endrin Aldehyde (7421-83-4)	608	0.1
Heptachlor (76-44-8)	608	0.05
Heptachlor Epoxide (1024-57-3)	608	0.05
PCB-1242 (53469-21-9)	608	1.0
PCB-1254 (11097-69-1)	608	1.0
PCB-1221 (11104-28-2)	608	1.0
PCB-1232 (11141-16-5)	608	1.0
PCB-1248 (12672-29-6)	608	1.0
PCB-1260 (11096-82-5)	608	1.0
PCB-1016 (12674-11-2)	608	1.0
Toxaphene (8001-35-2)	608	5.0